

**IN THE U.S. DISTRICT COURT FOR MARYLAND,
SOUTHERN DIVISION**

BEYOND SYSTEMS, INC.)	
)	
Plaintiff)	
v.)	Case No. PJM 08 cv 0921
)	
WORLD AVENUE USA, LLC, et al.)	
)	
Defendants)	
)	

**DEFENDANT WORLD AVENUE USA, LLC'S APPLICATION AS TO AMOUNT OF
ATTORNEYS' FEES**

Pursuant to this Court's Order at DE 605 dated February 16, 2011 that sanctioned Plaintiff BEYOND SYSTEMS, INC. ("BSI") for the sixth time, Defendant WORLD AVENUE USA, LLC ("WAUSA"), hereby submits its Application As to Amount of Attorneys' Fees awarded by this Court.

On October 14, 2010, BSI filed the subject Motion, a Motion for Reconsideration of Discovery Order at DE 444 Regarding Plaintiff's Responses to Defendant WAUSA's Third Set of Interrogatories ("Motion for Reconsideration"). *See* DE 449. Although the Motion for Reconsideration was thirteen (13) pages long and had six (6) exhibits, the Motion for Reconsideration provided no grounds for this Court to reconsider the wisdom of its Order on the Motion to Compel at DE 444. On November 1, 2010, WAUSA filed its Memorandum of Law in Opposition to Plaintiff BSI's Motion for Reconsideration. *See* DE 485. The Memorandum of Law was a ten (10) page brief with six (6) exhibits. *Id.* Subsequently, at the February 16, 2011 hearing, the Court denied the Motion for Reconsideration and entered sanctions. *See* DE 605.

Greenberg Traurig, P.A. maintains contemporaneous time records for attorneys' fees on a particular matter. Those time records show that \$9,769.50 was incurred in connection with

BSI's Motion for Reconsideration, WAUSA's Memorandum of Law, and preparation for the February 16, 2011 hearing. *See* DE 449, 485, Exhibit 3 to Memorandum of Law. The attorneys' fees and costs are detailed in the Declarations of Sanford M. Saunders, Jr. and John L. McManus. *See* Exhibits 4-5 to Memorandum of Law.

WHEREFORE, Defendant WORLD AVENUE USA, LLC respectfully requests entry of judgment against Plaintiff BEYOND SYSTEMS, INC. in the amount of \$9,769.50, plus statutory interest, and for such other and further relief as this Court deems just and appropriate.

Dated: March 2, 2011

Respectfully submitted,
Attorneys for World Avenue USA, LLC

GREENBERG TRAURIG, LLP

/s John L. McManus
Sanford M. Saunders, Jr., Esq.
USDC, MD #4734
saunderss@gtlaw.com
Nicoleta Burlacu, Esq.
BurlacuN@gtlaw.com
Admitted Pro Hac Vice
GREENBERG TRAURIG, LLP
2101 L Street, NW, Suite 1000
Washington, DC 20037
Telephone: 202-331-3100
Facsimile: 202-331-3101

--and--

Kenneth Horky, Esq.
Florida Bar No. 691194
horkyk@gtlaw.com
John L. McManus, Esq.
Florida Bar No. 0119423
mcmanusj@gtlaw.com
Admitted Pro Hac Vice
GREENBERG TRAURIG, P.A.
401 East Las Olas Boulevard, Suite 2000
Fort Lauderdale, FL 33301
Telephone: 954-765-0500
Facsimile: 954-765-1477